IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

DENNIS SMITH,

Plaintiff,

v.

C.A. No. 98-639-JJF

EX-POLICE CHIEF GUY D.

BAYNARD,

Defendant.

NOTICE OF SERVICE

I HEREBY CERTIFY that on this 16th day of May, 2007, a copy of **DEFENDANT'S MOTION FOR LEAVE TO FILE MEMORANDUM OF POINTS AND AUTHORITIES IN LIEU OF AN OPENING BRIEF** was served electronically and mailed first class upon the following party:

Mr. Dennis Lee Smith P.O. Box 311 Selbyville, DE 19975

AKIN & HERRON, P.A.

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